



COHEN & GRESSER LLP

800 Third Avenue  
New York, NY 10022  
+1 212 957 7600 phone  
www.cohengresser.com

Mark S. Cohen  
+1 (212) 957-7600  
mcohen@cohengresser.com

Christian R. Everdell  
+1 (212) 957-7600  
ceverdell@cohengresser.com

February 14, 2023

**VIA ECF**

The Honorable Lewis A. Kaplan  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: *United States v. Samuel Bankman-Fried*, 22 Cr. 673 (LAK)**

Dear Judge Kaplan:

On behalf of our client, Samuel Bankman-Fried, we respectfully submit this letter in connection with the Government's letter filed yesterday requesting additional time for the parties to make submissions to the Court regarding modification of Mr. Bankman-Fried's bail conditions. We join in the Government's request to extend the time for such submissions to February 17, 2023.

We agree with the Government that the parties have been engaging in productive discussions to address the concerns raised by the Court at the February 9, 2023 oral argument and resolve the outstanding issues related to Mr. Bankman-Fried's bail conditions. We would like to continue these discussions and are optimistic that we will reach an agreement between the parties by February 17 that we believe will satisfy the Court.

Further, we wish to note that, on the specific dates referenced by the Government, our client used the VPN to access an NFL Game Pass international subscription that he had previously purchased when he resided in the Bahamas, so that he could watch NFL playoff games. On January 29, 2023, he watched the AFC and NFC Championship games and on February 12, he watched the Super Bowl. This use of a VPN does not implicate any of the concerns raised by the Government in its letter.

Nevertheless, in order to resolve the matter and as the Government notes, the defense is prepared to adopt a reasonable bail condition that allays any concerns of the Government or the Court about the use of a VPN. Our client will not use a VPN in the interim.

The Honorable Lewis A. Kaplan  
February 14, 2023  
Page 2

Accordingly, we join in the Government's request for the extension of time until February 17, and look forward to resolving the issue with the Government, subject to the Court's approval.

Respectfully submitted,

/s/ Christian R. Everdell  
Mark S. Cohen  
Christian R. Everdell  
**COHEN & GRESSER LLP**  
800 Third Avenue, 21st Floor  
New York, New York 10022  
(212) 957-7600  
mcohen@cohengresser.com  
ceverdell@cohengresser.com

cc: All counsel of record (via ECF)